



DEFENSE LOGISTICS AGENCY
DISPOSITION SERVICES
74 WASHINGTON AVENUE NORTH
BATTLE CREEK, MICHIGAN 49037-3092

APP 10 2019

SUBJECT: State of Kansas Law Enforcement Support Office (LESO) Program, also known as the 1033 Program, Compliance Review Report/Checklist

This Correspondence is in reference to the LESO Program Compliance Review (PCR), conducted from 4/1/19 to 4/5/19. The results are as follows:

I. LESO will Verify:

1. The effective date of the Governor appointed LESO Program State Coordinator (SC) letter.	2/12/19
2. The date the SC signed the Defense Logistics Agency (DLA) Memorandum of Agreement (MOA).	2/12/19
3. The effective date of the approved State Plan of Operation (SPO).	2/13/19
4. If applicable, that State Points of Contact (SPOCs) are appointed by the SC with appointment letters on-file with the LESO.	N/A
5. If applicable, that SPOCs have been granted signature authority by the SC and have provided their sample signature on the most recent appointment letter.	N/A

Comments: *Section I, Item 1: The Honorable Laura Kelly, Governor of the State of Kansas, has appointed Mr. Tim Hutley as SC.*

Section I, Item 2: The SC signed the DLA MOA on 2/12/2019 and the DLA Disposition Services J4 Director signed the MOA on 2/14/2019.

Section I, Item 4: Not applicable as the SC has yet to appoint a SPOC.

Section I, Item 5: Not applicable as the SC has yet to appoint a SPOC.

II. State Level Compliance:

A. General Terms and Conditions

1. How does the SC's Office ensure LESO Program controlled property is not loaned, donated or otherwise provided to unauthorized participants?

The SC's Office provides a detailed explanation of General Terms and Conditions of the SPO to each Law Enforcement Agency (LEA) during the annual review conducted by the SC's Office. Annual reviews are conducted at all participating Kansas LEAs each year.

2. Has there been an incident, since the last conducted PCR, where a Law Enforcement Agency (LEA) has provided controlled property received under the LESO Program to unauthorized participants?

2a. If yes, provide details and supporting documentation of the outcome (who, what, when, where, why).

Not applicable.

3. Per the DLA MOA Section III, Paragraph C, does the State have any approved loan requests?

3a. If yes, provide details of loaner, loanee, item name, property number(s), date approved, duration of loan and purpose.

Not applicable.

NO

NO

4. Does the State have any approved cannibalization requests? **NO**
4a. If yes, provide detail of LEA, property type, and expiration date.
Not applicable.

5. How does the SC's Office ensure transfers of controlled property are approved by the LESO prior to physical movement to the receiving LEA?

The SC's Office will wait until the DLA LESO provides the DD 1348-1A transfer document and transfer approval before the SC's Office sends the transfer instructions to the LEA who is transferring the property to another participating LEA.

6. Does the SC's Office ensure an approved ATF Form 5 and LESO approved DD 1348-1A is received prior to the physical movement of LESO small arms to the receiving LEA? **YES**

Comments: *Section II, Paragraph A, Item 6: The SC's Office will call the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) National Firearms Act (NFA) Branch to verify that the small arms have been properly registered to the receiving LEA prior to physical movement.*

B. Enrollment

The LESO defines a Law Enforcement Agency as a government agency whose primary function is the enforcement of applicable federal, state, and local laws and whose compensated officers have the powers of arrest and apprehension.

1. How does the SC's Office ensure an application for participation is for a bona-fide LEA?

The SC's Office looks for an official LEA website in order to obtain the address. The application will be scrutinized to ensure the Originating Agency Identifier (ORI) and the National Crime Information Center (NCIC) address is input before forwarding the application to the DLA LESO.

2. Have there been any applications submitted to the SC's Office which were disapproved at the State level? **NO**

2a. Was the LESO notified of the disapproval? **N/A**

Comments: *No additional comments.*

C. State Level Program Compliance Reviews

1. Does the SC's Office ensure a State Level PCR is performed for a minimum of 5% of LEAs that have assigned property from the LESO Program on an annual basis? **YES**

2. Was documentation provided to the LESO for each LEA that received a State Level PCR? **YES**

3. Does the State Level PCR documentation contain, at a minimum, evidence that the below listed criteria was reviewed:

- 3a. Review of each selected LEA's LESO Program files (i.e. turn-in and transfer 1348-1As, Equipment Custody Receipts [ECRs], etc.) **YES**
- 3b. Review of the signed State Plan of Operation (SPO) **YES**
- 3c. Review of the LEA's Application for Participation/Screener Letter **YES**
- 3d. A physical inventory of LESO Program property **YES**

4. What actions are taken by the SC's Office to resolve cases of non-compliance?

The SC's Office suspends LEAs that are non-compliant.

Comments: *No additional comments.*

D. Reporting Requirements		
1. Is the LESO notified within 24 hours of any lost, stolen or destroyed (LSD) controlled property?	YES	
2. Is the LESO notified within 7 days of any LSD DEMIL "A" or "Q6" property?	YES	
Comments: <i>No additional comments.</i>		
E. Records Management		
1. Does the SC's Office ensure that the SPOs uploaded in Federal Excess Property Management Information System (FEPMIS) for each participating LEA are signed by the current SC and the current Chief Law Enforcement Official (CLEO) or their assigned designees (with signature authority)?	YES	
2. If applicable, does the SC's Office have, on-file, a copy of any current/approved Exception to Policy memorandums?	NO	
Comments: <i>No additional comments.</i>		
F. Annual Training		
1. Does the SC's Office provide training to LEAs who participate in the LESO Program? If Yes, explain the training provided.	YES	
<i>The SC's Office mandates that new LEAs complete the online training course available on the DLA LESO website and send the certificate of completion to the SC's Office as proof. All other participating LEAs are provided training and assistance via telephone, email, and during compliance reviews. There are no established classroom training sessions and none are provided if requested by an LEA. However, assistance is provided over the telephone.</i>		
2. How does the SC's Office provide guidance and updates to participating LEAs on the LESO Program?	YES	
<i>The SC's Office provides guidance and updates to participating LEAs by email, telephone, and during compliance reviews.</i>		
Comments: <i>Section II, Paragraph F, Item 1: The LESO PCR Team provided recommendations to the SC's Office on how to conduct training for participating LEAs such as annual training at the SC's Office or perhaps quarterly training in various regions of the state.</i>		
G. Property Allocation		
1. Does the SC's Office review/process all requisitions in the Reutilization, Transfer and Donation (RTD) Web portal at a minimum of once daily?	NO	
2. How does the SC's Office determine recommendation for approval of an LEA RTD requisition?		
<i>The SC's Office validates that the justification meets the following criteria for requested property: it will be for law enforcement purposes, it will be used by authorized participants, and is persuasive. The SC's Office also ensures that the quantity requested does not exceed the officer count and that the LEA is not currently suspended.</i>		
3. Does each participating LEA maintain, at a minimum, one user in the FEPMIS?	YES	
4. Does the SC's Office conduct, at a minimum, a monthly reconciliation of property records using their State Dashboard in COGNOS?	YES	

Comments: *Section II, Paragraph G, Item 1: The SC's Office has instructed participating LEAs to contact him on his work issued cell phone when they requisition property to ensure he validates and approves requested property immediately.*

III. LEA Level Compliance:

A. General Terms and Conditions

1. Does the LEA maintain and enforce regulations designed to impose adequate security and accountability measures for controlled property to mitigate the risk of loss or theft?	NO
2. Are transfers of controlled property approved by the LESO prior to physical movement to the receiving LEA?	YES
3. Does the LEA understand that controlled property must be transferred to a participating agency with the SC and LESO approval, or returned to DLA when deemed no longer usable?	YES
4. Are all LESO Program small arms, aircraft, high profile vehicles, optics, robots, and small arms parts and accessories issued to an officer documented via a physical chain of custody, such as an ECR?	YES

Comments: *Section III, Paragraph A, Item 1: The Plainville Police Department stated that the small arms are kept in the patrol vehicles at all times. The small arms are not secured in the vehicle beyond placing them in the trunk, placing a blanket over them and closing the trunk lid. The Chief stated that the small arms need to be readily accessible and are not if they are behind multiple layers of security. The LESO PCR Team did suggest options to secure their small arms such as a lock box to be mounted in the trunk in order to provide additional security.*

IV. Areas of Concern and/or Recommendation:

LEAs reviewed during this PCR were unaware of the types of property available through the LESO Program. Due to this, it is highly encouraged that the SC's Office create additional opportunities to physically spend time with participating LEAs in order to ensure they understand the full scope of available property. Of the twenty-seven (27) LEAs reviewed, twenty-four (24) were under the impression that only small arms were provided by the LESO Program. The LESO recommends that the SC's Office make reasonable effort to engage with all participating LEAs, regardless of the remote areas of the State where LEAs reside. Engagement between the SC's Office and LEAs can be in the form of phone calls, emails, newsletters, as well as face to face training.

V. Areas of Praise:

LEAs reviewed lauded the level of support received from the SC's Office with respect to assistance requested during the annual inventory. The majority of LEAs reviewed displayed an understanding of the communication which obviously took place in preparation for this PCR.

VI. LEAs Visited During the DLA LESO PCR:

1. *Butler Community College Department of Public Safety*
2. *Cheyenne County Sheriff's Office*
3. *Clay Center Police Department*
4. *Clay County Sheriff's Office*
5. *Decatur County Sheriff's Office*
6. *Ellsworth Correctional Facility*
7. *Fort Hays State University Police Department*
8. *Goodland Police Department*
9. *Greeley County Sheriff's Office*
10. *Hamilton County Sheriff's Office*
11. *Haven Police Department*
12. *Hillsboro Police Department*
13. *Hutchinson Police Department*
14. *Lindsborg Police Department*
15. *McPherson County Sheriff's Office*
16. *Minneapolis Police Department*
17. *Osborne County Sheriff's Office*
18. *Plainville Police Department*
19. *Rawlins County Sheriff's Office*
20. *Reno County Sheriff's Office*
21. *Rice County Sheriff's Office*
22. *Saint Francis Police Department*
23. *Sherman County Sheriff's Office*
24. *Stafford Police Department*
25. *Sterling Police Department*
26. *Wallace County Sheriff's Office*
27. *Windom Police Department*

VII. No Notice Reviews:

The LESO reserves the right to conduct no notice PCRs. No notice PCRs have no effect on the overall rating of the PCR in terms of Compliance or Non-Compliance, the findings and recommendations of any selected no notice reviews are described as follows:

Due to the robust schedule and the remote region of Kansas reviewed there were no "No Notice" reviews conducted.

VIII. PCR Inventory Results:

	LESO PROGRAM PROPERTY					
	STATE TOTALS	SAMPLE SIZE	TOTAL REVIEWED DURING PCR		TOTAL ON-HAND	ACCURACY RATE (%)
			*Items Physically Inventoried	*Items Reviewed via Approved ECR		
SMALL ARMS	870	171	170	1	171	100%
AIRCRAFT	0	0	0	0	N/A	N/A
HIGH PROFILE VEHICLES	11	0	0	0	N/A	N/A
GENERAL PROPERTY	256	3	3	0	3	100%
TOTALS	1,137	174	173	1	174	100%
*OVERALL STATE INVENTORY ACCURACY RATE (%):						100%

*Overall State Inventory Accuracy Rate (%) is determined by adding the actual number of property that was physically inventoried or verified via an approved custody card during the PCR and dividing it by the total sample size of small arms, aircraft, high profile vehicles and general property at LEAs selected for review.

IX. Summary:

The Program Compliance Review has been completed. The LESO PCR Team has provided the facts and results of the PCR to the LESO Branch Chief, who reserves final authority to determine a compliant or non-compliant rating.

Thank you for the professionalism and support shown to us during our visit. As always, we at the LESO stand ready to support and serve. If you have any questions or concerns, please feel free to contact us at 1-800-532-9946 or via email at: lesocertifications@dla.mil.

X Michael Rose
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X Brentnell Johnson
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